

Recent Text Amendments

TA2007018 – Emergency Service Providers – text amendment to the Maricopa County Zoning Ordinance deleting Articles 501.2.10 & 601.2 permitting privately operated fire stations in the Rural and Residential zoning districts, adding all privately operated emergency services providers (including ambulance) as permitted uses in the Commercial (and Industrial) zoning districts per Article 803.2.19, and adding a new Special Use category for privately operated emergency service providers per Article 1301.1.45. Approved at the 1/11/12 BOS hearing with immediate effect.

TA2008004 – Lighting of Billboards– text amendment to Chapter 14 of the Maricopa County Zoning Ordinance prohibiting bottom mounted lighting of billboards in unincorporated Maricopa County. Approved at the 9/14/11 BOS for immediate effect.

TA2010009 – Code Enforcement Review - text amendment to Ch. 15 of the Maricopa County Zoning Ordinance delegating code enforcement review and appeal of a hearing officer's order of judgment due to procedural error to the Board of Adjustment. Approved at the 11/3/10 BOS with immediate effect.

TA2010012 – Mobile and Manufactured Homes – text amendment to the Maricopa County Zoning Ordinance so that all types of single-family dwelling units – site-built, manufactured and mobile homes – are treated the same with regard to zoning clearance. The definition of Single Family Dwelling in Chapter 2 has been revised. A mobile home will require certification from the State Office of Manufactured Housing or it must be rehabilitated to comply with all building safety codes. Approved at the 1/11/12 BOS with immediate effect.

TA2010014 – Home Daycare – text amendment to Chapters 5 & 6 of the Maricopa County Zoning Ordinance permitting home based child daycare subject to conditions in all Rural and Residential zoning districts. Approved at the 1/12/11 BOS with immediate effect.

TA2010020 – Grading – text amendment to Art. 1504.3 of the Maricopa County Zoning Ordinance to state that zoning clearance for grading within a road easement shall only apply to the area within the easement and not the entirety of parent parcels. Approved at the 3/16/11 BOS with immediate effect.

TA2010021 – Phased Plats – text amendment to the Maricopa County Subdivision Regulations to state that a phases preliminary plat shall remain valid so long as each successive final plat phase is approved within two years from the date of approval of the previous final plat phase. Approved at the 3/16/11 BOS with immediate effect.

TA2010022 – Heights – text amendment to the Maricopa County Zoning Ordinance to delete all references to a maximum number of stories. All zoning districts instead refer to a maximum height by number of feet. This provides more design flexibility to the developer. Approved at the 3/16/11 BOS with immediate effect.

TA2011001 – Medical Marijuana – text amendment to the Maricopa County Zoning Ordinance deleting all reference to home cultivation of medical marijuana and deleting reference to medical marijuana dispensaries and offsite cultivation locations as a Special Use in Chapter 13. In Chapter 2 the definitions of medical marijuana dispensaries and offsite cultivation locations were clarified to indicate they are industrial uses thus relegating the uses to the IND-3 Heavy Industrial Zoning District. Approved at the 8/31/11 BOS with immediate effect.

TA2011002 – Charter Schools – text amendment to the Maricopa County Zoning Ordinance clarifying that charter schools are permitted in any zoning district. Approved at the 4/27/11 BOS with immediate effect.

TA2011003 – A-Frame Signs and Light Pole Banners – text amendment to Chapter 14 of the Maricopa County Zoning Ordinance providing conditions to permit A-frame/sandwich board signs and light pole banners. These types of temporary signs were previously not permitted in unincorporated Maricopa County. Approved at the 9/14/11 BOS for immediate effect.

TA2011005 – Hearing Officer Subpoena Power – text amendment to Article 1504.3.3 of the Maricopa County Zoning Ordinance enumerating that the administrative hearing officers are authorized subpoena power to compel the appearance of a witness or production of documents. The subpoena can only be enforced by application to the Superior Court. Approved at the 9/28/11 BOS with immediate effect.

TA2011007 – Utility Scale Solar Construction – text amendment to the Maricopa County Local Additions & Addenda clarifying that retroactive back to 10/1/10, a utility-scale solar generating station is to have the entire phase of construction evaluated based upon the construction codes in effect at time of the initial permit application. Approved at the 8/17/11 BOS with immediate effect.

TA2011008 – Utility Scale Solar Construction – text amendment to the Maricopa County Zoning Ordinance removing conflicting language with TA2011007. Approved at the 8/17/11 BOS with immediate effect.

TA2011010 – Required Side Yards – text amendment to the Maricopa County Zoning Ordinance regarding location of accessory buildings within the required side yards. This amendment resulted in side yards being treated the same as rear yards and allows accessory buildings at a 3' setback if not occupying more than 30% of the total required yard. Approved at the 10/19/11 BOS with immediate effect.

TA2011011 – Continuing Existing Uses – text amendment to the Maricopa County Zoning Ordinance that changed the critical threshold date for determining Legal Non-Conforming (“grandfather”) status of a building or structure, and a lawfully existing use, on an existing parcel from 1969 to 1/1/2000. Approved at the 10/19/11 BOS with immediate effect.

TA2011012 – Drainage – text amendment that deleted the Drainage Regulation of Maricopa County and incorporated same into Sec. 1205 of the Maricopa County Zoning Ordinance. There were no substantive change to the regulation, but the text was reformatted and redundant language was deleted. Approved at the 10/19/11 BOS with immediate effect.

TA2011013 – Distance Between Buildings – text amendment to the Maricopa County Zoning Ordinance that deleted all references to a required minimum distance between buildings in the Rural and Residential zoning districts. This amendment did not alter any such requirements in the adopted building codes. Approved at the 10/19/11 BOS with immediate effect.

TA2011014 – Accessory Dwelling Units – text amendment to the Maricopa County Zoning Ordinance regarding accessory dwelling units in the Rural and Residential zoning districts. This resulted in detached accessory dwelling units be treated the same as all other accessory buildings with regard to setbacks. Approved at the 10/19/11 BOS with immediate effect.

TA2011017 – Farms and Roadside Stands – text amendment to the Maricopa County Zoning Ordinance that deleted the two acre minimum area for farm uses and established roadside stands as accessory uses in the Rural zoning districts. Approved at the 10/19/11 BOS with immediate effect.

TA2011018 / TA2011021 – Hillside – Section 1201 the Maricopa County Zoning Ordinance was revised to simplify the application of and enforcement of Hillside Regulations. All disturbance is relegated to the lot's buildable area (within required yards) except for driveway (serving a single parcel), utility and roadway (serving more than one parcel); and permitting 100% hillside disturbance within the lot's buildable area, and permitting a maximum total hillside disturbance of 75,000 sf over the gross lot area. Approved at the 10/19/11 BOS with immediate effect. This amendment was revisited at the 12/14/11 BOS where the language now approved and in effect was readopted per TA2011021 but to allow applications pending as of 10/19/11 to be processed under the hillside regulations in effect at time of application.

TA2011019 – Zoning Clearance / Drainage Clearance – Article 1504.5 the Maricopa County Zoning Ordinance was revised to delete reference requiring zoning clearance for any improvement in excess of a \$500 assessed value, and to add that a zoning clearance is not required for any non-habitable accessory building or structure that is a single story and no greater than 200 sf in floor area. Note that these structures must still observe setbacks, SVT, lot coverage, etc. The amendment also added a paragraph to Article 1205.7.1 stating that drainage clearance is not required for any building with an area of 200 sf or less nor any pipe rail type fencing not permanently affixed to the ground – if not located within a retention area or drainage way. This amendment provides consistency between requirements for zoning clearance and drainage clearance. Approved at the 12/14/11 BOS with immediate effect.

TA2011020 – Building Permit – Section 205 of the Local Additions and Addenda will be revised with an added paragraph to state that a building permit is not required for any non-habitable accessory building or structure that is a single story and no greater than 200 sf in floor area, and that does not contain any electrical, plumbing or mechanical. This will provide consistency between zoning clearance,

drainage clearance and building safety clearance. This amendment also deleted requirement to permit replacement water heaters. Approved at the 3/28/12 BOS with immediate effect.

TA2012001 – Protected Development Rights – Article 1504.5 the Maricopa County Zoning Ordinance will be revised to clarify that a protected development right plan (PDR) status may only be granted to a final subdivision plat or a precise plan of development. PDR status protects construction of a phased project from subsequent changes to development standards for up to a ten year period. Approved at the 3/28/12 BOS with immediate effect.

TA2012004 – Fees Residential Solar Permit and Replacement Hot Water Heaters – Section 208 of the Local Additions and Addenda will be revised to lower fees. Approved at the 3/28/12 BOS with immediate effect. Due to regulatory reforms previously instituted there are now less costs to recover for these types of applications and the savings are being passed on to customers.

TA2012006 – Zoning Clearance for Corrals – Article 1504.5 the Maricopa County Zoning Ordinance will be further revised to delete reference requiring zoning clearance for a fence simply for the fact that it acts as a corral. This amendment partners with TA2011020. Approved at the 4/25/12 BOS with immediate effect.

TA2012009 – Wall Heights and Prohibitions –the Maricopa County Zoning Ordinance was revised so that maximum height of walls/fences is raised to 8’(inclusive of all caps, pillars, etc.) high within required yards, but must be semi-opaque (80% transparency) within required front yard of Residential zoning; a corresponding increase in combination retaining/privacy fence height to a maximum of 14’ (max. 8’ privacy on top of max. 6’ retaining); and to accommodate increased height from lowest natural grade where walls cross washes for up to a 20’ span length. Art. 1111.4.1 now prohibits concertina, razor and electric wire and electrified fence below a height of 8’ above finished grade. Approved at the 8/22/12 BOS with immediate effect.

TA2012020 – Temporary Events – Art. 1302.2.2.4 added to Maricopa County Zoning Ordinance exempting construction permit requirements for structures erected pursuant to an approved Temporary Use Permit if standing for a period not to exceed 96 consecutive hours. Approved at the 8/22/12 BOS with immediate effect.

TA2012021 – Temporary Events – amended Sec. 205 of the Maricopa County Local Additions and Addenda (building codes) exempting construction permit requirements for structures erected pursuant to an approved Temporary Use Permit if standing for a period not to exceed 96 consecutive hours. Approved at the 8/22/12 BOS with immediate effect.

CPA2011010 – Major Comp Plan Amendments – Text Amendment to the Maricopa County Comprehensive Plan Amendment Guidelines raising the requirement for a “major” CPA case from 100 acres to an area of greater than 640 acres. Major CPA cases may only be heard by the BOS at the last public hearing in December. General CPA cases may be heard by the BOS on any public hearing date. Approved at the 4/11/12 BOS to be effective in 30 days.